

## REMARKS/ARGUMENTS

At page 2 of the Official Action, claims 14, 23 and 24 were rejected under 35 U.S.C. 112, second paragraph for failure to clearly recite the plurality of openings. Claim 14, including claims 23-24 by virtue of their dependency have been amended to more clearly identify the openings in the second fixed tubular body.

Reconsideration and withdrawal of the rejection of claims 14, 23 and 24 are courteously requested.

At page 2 of the Official Action of January 27, 2006, claims 11-17, 19, 21, 23 and 25-27 were rejected under 35 U.S.C. 102(b) as being anticipated by Faeber et al (US Pat. 3,037,557). This ground of rejection is courteously traversed as it applies to the claims now presented for further examination.

The rotary vacuum cylinder of Faeber et al includes both an inner stationary cylinder 19 coaxially arranged with an outer rotatable perforated cylinder 10. Affixed to the surface of the inner stationary cylinder 19 are three (3) sealing or vacuum frames 32 with sealing strips 39 completely surrounding each frame 32, best illustrated by Fig. 5. The sealing strips 39 engage the inner surface of rotatable outer cylinder 10 forming independent enclosures and separate vacuum or suction areas for each single port 31 of each sealing frame 32.

According to Faeber et al, Col. 1, lines 52-66, dual vacuum areas are created: a first vacuum area is created between the outer side of seal frame 32 and the inner surface of the outer rotatable perforated cylinder 10, and a second larger vacuum area between the internal vacuum housing and the inner side of the seal frame 32. This produces a differential pressure which holds the seal frame firmly against the inner stationary cylinder 19. According to Faeber et al, Col. 1, lines 47-49, this minimizes the generation of heat due to friction.

By contrast, Applicant's claimed invention does not rely on sealing or vacuum frames 32 and multiple sealing strips 39 for completely surrounding the frames to create multiple or dual vacuum zones between the rollers. Structurally, Applicant's conveying roller is for conveying sheets in an interfolding machine like that illustrated in Fig. 5 (50), wherein the slidable sealing elements 7 are longitudinally oriented and extend for the length of the roller to define a continuous/open suction

chamber 6. Once again, Faeber et al relies on multiple vacuum frames not required by Applicant to achieve a different result from that of Applicant, namely to minimize frictional heat.

Accordingly, reconsideration and withdrawal of the rejection of claims 11-17, 19, 21, 23 and 25-27 under 35 U.S.C. 102(b) as being anticipated by Faeber et al (US Pat. 3,037,557) are courteously solicited.

At page 3 of the Official Action, claims 18, 20, 22 and 24 were rejected under 35 U.S.C. 103(a) as unpatentable over Faeber et al (US Pat. 3,037,557) in view of the allegedly admitted prior art paragraphs [0003] to [0008] of Applicant's specification. This ground of rejection is courteously traversed.

The subject concept of Faeber et al relates to a rotary vacuum cylinder capable of drawing off excessive moisture from a paper web with reduced friction and heat, so as to avoid the necessity of a cooling system. As stated above, the device of Faeber et al relies on a sealing system or vacuum frames 32 with sealing strips 39 completely surrounding each frame 32. The sealing strips 39 engage the inner surface of the rotatable outer cylinder 10 forming independent enclosures and separate vacuum or suction areas for each single port 31 of each sealing frame 32. Faeber et al require dual vacuum areas consisting of a first vacuum area created between the outer side of seal frame 32 and the inner surface of the outer rotatable perforated cylinder 10, and a second larger vacuum area between the internal vacuum housing and the inner side of the seal frame 32. This produces a differential pressure which holds the seal frame firmly against the inner stationary cylinder 19, so as to generate less heat from friction.

It is unclear how Faeber et al should be modified according to applicant's disclosures of admitted prior art, as discussed in the instant specification, to arrive at Applicant's claimed invention **without also destroying the reduced friction characteristics of the device of Faeber et al**, discussed above, which dual vacuum areas are required to achieve less friction and heat being generated in the process. That is, the invention of Faeber et al may be modified, but in so doing the modifications may not alter the lower friction and heat producing characteristics of the Faeber et al invention.

In this regard, it is well established that references may not be combined if the effect of the combination would destroy the invention on which one of the references is

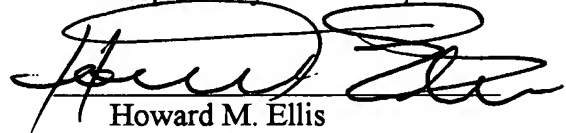
based See *Ex parte Hartmann* 186 USPQ 366 (PTO BA 1974).

As stated above, the seal/vacuum frames 32 of Faeber et al are critical components of the referenced invention, and it remains unclear from the Official Action how the prior art may be combined without also modifying the essential structural features of the referenced invention without destroying the essential feature for achieving less friction and heat reduction according to concepts of Faeber et al.

Accordingly, reconsideration and withdrawal of the rejection of claims 18, 20, 22 and 24 under 35 U.S.C. 103(a) as unpatentable over Faeber et al (US Pat. 3,037,557) in view of alleged admitted prior art paragraphs [0003] to [0008] of Applicant's specification.

In view of the amended claims and foregoing remarks distinguishing over the references of record, it would appear this application is now in condition for allowance, and notification of the same at an early date is courteously solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Howard M. Ellis', is written over a horizontal line.

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